



**MEMORANDUM
POLICE DEPARTMENT**

DATE: December 17, 2018

TO: File

FROM: Sergeant Wes Morey

SUBJECT: [REDACTED] Interview
Internal Affairs Case # 2016-010

On October 16, 2016 at approximately 0716 hours, [REDACTED] was interviewed by DA Inspector Patrick Murray at the Santa Cruz Police Department. Mr. [REDACTED] was on a ride along that evening with Officer Baker. The interview was conducted in the “soft” room, located upstairs in the Investigations Bureau. The interview was video and audio recorded. The following is a summary of the interview.

Mr. [REDACTED] stated on the afternoon of October 15, 2016, he showed up to the SCPD for his scheduled ride along during swing shift. He was placed with several different officers throughout the shift, but ended up wanting to stay later than the swing shift hours (1630-0230 hours).

Mr. [REDACTED] was placed with graveyard patrol officer Adam Baker and was with him during the incident. Mr. [REDACTED] and Officer Baker were in the rear parking lot of the SCPD eating sandwiches when the call came out. He couldn’t understand all of the radio traffic, but said the call was for a male named Sean who was beating on the reporting party’s windows and was threatening to kill people.

Mr. [REDACTED] said that all four patrol units left the SCPD rear parking lot together and “caravanned” to the call. While driving to the call, Officer Baker said he had knowledge of the

suspect and that SCPD had dealt with him before and that he suspect was a subject who would fight. Officer Baker told him to stay in the patrol vehicle during the call and to be a good witness.

Mr. ██████ said when they arrived, Officer Baker's vehicle was the second car in line and he could see the house that the suspect was at. The house was on a corner lot, so he could not tell if it was the side or front of the house that the suspect was at. Mr. ██████ could see the suspect banging on a window with what appeared to be a closed umbrella.

Mr. ██████ said the officers exited their cars and congregated at the first car and looked like they were formulating a plan to handle the situation. Mr. ██████ rolled down his passenger side window, so he could hear what was happening. The officers called out to the suspect who was now coming out quickly from the house towards the officers. The suspect had a large (6-7 foot) concrete rake. He further described it as a wooden handled, 6-7 foot long with a wide steel end. The suspect was holding the rake with both hands over one of his shoulders in an aggressive manner.

Mr. ██████ said that he heard the officers give clear multiple commands for the suspect to, "drop the weapon" and "drop the rake". The suspect did not comply with the officer's commands and continued advancing quickly towards the officers. Mr. ██████ saw red dots on the suspect and heard the officers say they were deploying Tasers. One officer deployed the Taser, but there was no effect and a second officer deployed a Taser, but there was no effect either. He could not tell which officers deployed the Tasers and could not see if the Taser darts made contact with the suspect.

Mr. ██████ said the suspect continued advancing with the rake above his head in an aggressive manner. He felt the suspect was intending to strike the officers. The officers were in front of the driver's side of the first patrol car and were now backing up quickly as the suspect advanced on them from the house. He estimated the suspect advanced to within ten feet of the officers when he heard two gun shots. He said the suspect fell to the ground and the officers handcuffed the suspect and started to render aid. He could not tell where the suspect was hit, but that he saw blood on the suspect's head and upper chest area once the officers removed his shirt. He said the suspect was still resisting the officers and he saw the suspect kicking at the officers.

Mr. [REDACTED] said the officers looked like they were having a hard time finding the bullet holes and the suspect kept resisting the officers. Even when the fire fighters arrived on scene, the suspect was still resisting. He saw the suspect sit up two times after the fire fighters arrived on scene, with one time falling back to the ground. After a while, the fire fighters covered the suspect with a blanket and he believed the fire fighters had determined the suspect had died.

Mr. [REDACTED] said he was brought back to the SCPD and was advised he would be interviewed.

End of interview.